



## Orange County Opens Courthouse of the Future

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Imagine a courtroom where attorneys can electronically mark on exhibits displayed on a 10-foot-wide video monitor, challenge witnesses with video playback of their testimony, and send real-time transcripts of the proceedings back to their offices via the Internet.

This scenario might be hailed as the courtroom of the future. In Santa Ana it is called the Superior Court of Orange County's Civil Complex Center.

Regarded as one of the most technologically advanced facilities for civil litigation in existence, the Civil Complex Center was designed to hear complex

civil cases—lawsuits that involve an abundance of parties, evidence, attorneys, and courtroom time. The center's August 6 dedication featured opening remarks by Chief Justice Ronald M. George, a reception, and a tour of the facility, including a mock trial to demonstrate the courtrooms' state-of-the-art technological capabilities.

"The new facility that we celebrate today is an excellent example of local innovation," said Chief Justice George. "Orange County has focused on cre-

ating an environment that takes advantage of technological advances to scan, store, and make widely available the documents filed in these complex cases."

### COURTROOM FEATURES

The Orange County court staff uses the term "plug and play" to describe the new 36,000-square-foot, five-courtroom, four-judge facility. Each courtroom, which can accommodate up to 60 lawyers at a time, has a central station at which attorneys can present an entire case from in-

formation stored on CDs in their laptop computers. Monitors are provided at counsel tables, at the judge's bench, in the witness box, and in jury deliberation rooms. Lawyers and witnesses can mark electronically on computer displays of exhibits such as photographs and maps, and revisions can be saved and stored as new exhibits in the case.

In addition to the monitors, there is a 10-foot-wide drop-down projection screen for jurors that gives them a better view of exhibits and presentations. The judge's bench has a "kill" switch to make the screen blank if information is presented that should not be seen by the jury.

The court partnered with DOAR Information Systems to install the necessary cables and equipment for these features at no cost to the county or the court. Litigants who wish to use the equipment pay DOAR a rental fee of \$550 per day that can be shared by all the parties in the case.

Other features of the courtrooms include the ability to challenge witnesses with video playback of their testimony; real-time transcripts that flow from the court reporter's equipment to television monitors, which can utilize software to translate them into English; and Internet access so that attorneys can send court transcripts back to their offices.

Although the Civil Complex Center was officially dedicated in August, it has been open for business since June. By the end of July, the court had already

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Each courtroom in Orange County's new Civil Complex Center has a central station at which attorneys can present an entire case from information stored on CDs in their laptop computers. Monitors are provided at counsel tables, at the judge's bench, in the witness box, and in jury deliberation rooms. Photo: Courtesy of the Superior Court of Orange County

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## Judicial Council Names New Members

In August, the Judicial Council named seven new members—five judges, one court executive officer, and one attorney.

Chief Justice Ronald M. George, chair of the council, named five of the new members, and the State Bar Board of Governors named an attorney member. The seventh new member is the incoming president of the California Judges Association (CJA). Each new member serves a three-year term beginning September 15, 2001, except for the CJA president, who serves a one-year term.

### CHIEF JUSTICE'S APPOINTMENTS

Chief Justice George's appointments to the council follow.

**Justice Norman L. Epstein** of the Court of Appeal, Second Appellate District, Division Four, began his judicial career in 1975. He served on both the municipal and superior courts of Los Angeles County before his appointment to the Court of Appeal in 1990. A longtime participant in Judicial Council work, Justice Epstein is chair of the Criminal Law Advisory Committee and a former chair of the Governing Committee of the Center for Judicial Education and Research (CJER). He is a former member of the Civil and Small Claims Advisory Committee and the committees on gender bias in the courts, economic litigation, and appellate court staffing. He also

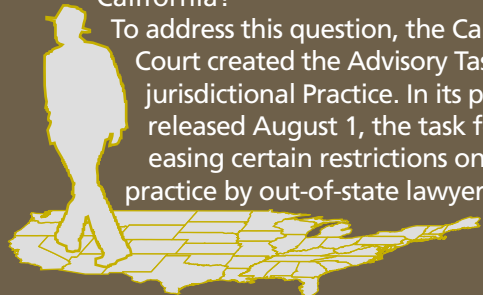
served as a liaison member of a Judicial Council task force, the Subcommittee on Alternative Dispute Resolution. A leader in judicial education, Justice Epstein has served as dean and vice-dean of CJER's Judicial College and as a faculty member of the college since 1977.

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## Licensing Out-of-State Lawyers

Should attorneys who are licensed to practice law in other states but who have not passed the California State Bar exam be permitted to practice law in California?

To address this question, the California Supreme Court created the Advisory Task Force on Multi-jurisdictional Practice. In its preliminary report, released August 1, the task force proposed easing certain restrictions on in-state law practice by out-of-state lawyers. See page 7 for key findings.





Chief Justice  
Ronald M.  
George

#### MESSAGE FROM THE CHIEF JUSTICE

### Complex Civil Litigation Pilot a Success

*On June 23, 2001, Chief Justice Ronald M. George delivered opening remarks via videotape at the Complex Court Symposium at the Omni Hotel in Los Angeles. Jointly sponsored by the Litigation Section of the Los Angeles County Bar Association, the Association of Business Trial Lawyers, the Consumer Attorneys Association of Los Angeles, and the Southern California Defense Counsel, the symposium brought together the bench and the bar to increase awareness of the Complex Civil Litigation Pilot Program and to educate attorneys about the practices of individual judges in Los Angeles County's complex civil litigation courts.*

*In his address, Chief Justice George discussed the pilot program and how it is improving the management of complex cases in California state courts. Following is a transcript of his remarks.*

I am pleased to welcome you to this symposium on complex civil litigation in the Superior Court of Los Angeles County. As you may know, Los Angeles is one of six courts participating in the statewide Complex Civil Litigation Pilot Program. The pilot program is an important and exciting step toward improving the management of complex cases in California state courts.

I want to thank Judge [Carolyn B.] Kuhl for inviting me to speak at this event. Judge Kuhl, as supervising judge of the Los Angeles program, has made invaluable

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contributions to its success. I extend my thanks also to the groups sponsoring this symposium. I know it will provide you with important information. I am pleased that local bar associations and the Superior Court of Los Angeles County are working together to increase awareness of the pilot program and to educate attorneys about the practices of individual judges.

#### CREATION OF THE PILOT PROGRAM

The Complex Civil Litigation Pilot Program arose after an exhaustive evaluation of the merits of establishing a specialized court for business and commercial disputes. A Judicial Council task force studied and recommended against the establishment of specialized business courts, but did urge further study on improving the management of complex litigation. In response, the Judicial Council, the policymaking body for the California courts, which I chair, created the Complex Civil Litigation Task Force, in turn chaired by Justice Richard D. Aldrich. The task force was charged with finding ways for courts to manage these cases more efficiently and effectively.

After receiving a very helpful report from the task force, the Judicial Council took a number of actions based upon the group's recommendations. These included authorizing publication of a deskbook, approving a curriculum for judicial education in complex case

**Twice a year, the judges designated to preside in the pilot program courtrooms attend a two- to three-day workshop tailored to address topics relating to complex litigation, including case management and resolution.**

management, revising rules of court and forms, proposing amendments to statutes, and creating a continuing Judicial Council oversight committee.

After considering the actions taken by the council, and based upon the work of the task force chaired by Justice Aldrich, Governor [Gray] Davis personally took the initiative to include in his budget funding for a pilot program for complex litigation departments. Based upon the Governor's request, the Legislature appropriated funds for projects starting in January 2000 in courts located in six counties. In Northern California, the courts in Alameda, Contra Costa, San Francisco, and Santa Clara Counties each began with one judge assigned to the program.

In Southern California, Orange County's court assigned four judges to the program. Los Angeles has seven, listed in your brochure, each of whom brings interest, experience, and enthusiasm to the program.

#### GOALS OF THE PILOT PROGRAM

The pilot program has several principal purposes. The first is to evaluate the effects of three interrelated resources being provided to the selected courts. These specialized resources are (1) funds for increased personnel and for technological resources in complex civil cases, (2) specialized judicial education, and (3) the *Deskbook on the Management of Complex Civil Litigation*, which provides practical guidance and insights to trial court judges.

Additional state funding has allowed participating courts to hire more research attorneys and to improve courtroom technology. Los Angeles has created a Web site that is accessible to the attorneys and judges involved in these complex matters. Parties can post motions, discovery, and correspondence on the site, facilitating communication among all participants.

In addition, a specialized curriculum approved by the Judicial Council provides continuing education for pilot program judges. Twice a year, the judges designated to preside in the pilot program courtrooms attend a two- to three-day workshop tailored to address topics relating to complex litigation, including case management and resolution.

The third critical resource, the *Deskbook on the Management of Complex Civil Litigation*, was published last year and was distributed to every judge in the state. It covers general principles for managing complex cases and addresses specific areas, including antitrust, construction defects, environmental and toxic torts, insurance coverage, intellectual property, mass torts, securities litigation, and class actions. The deskbook also includes sample case management orders. I am pleased to report that the response to the deskbook has been very positive, and we intend to update it on an ongoing basis.

#### DOCUMENTING BEST PRACTICES

In addition to these three generally available resources, participating courts have been encouraged to innovate in devising practices for effective management of complex cases. These are, after all, pilot programs, which means that they are intended as laboratories for experimentation from which we can benefit and learn. For example, judges in Los Angeles have scheduled frequent informal meetings with attorneys and have sought early identification of key factual issues to see what effect these practices may have.

The second goal of these programs is to develop best practices for handling complex cases. I am very encouraged by the preliminary reports that have been received. Dedicating courtrooms to complex cases has allowed the judges involved to devote more time and attention to managing and ultimately resolving these cases in a just, efficient, and cost-effective manner. We have received positive feedback, not only in Los Angeles but also from other courts. A great deal is being learned about what works to meet the unique needs of this kind of litigation.

But developing best practices is not enough—and therein lies our third goal: to document the best practices and to make those practices available to courts, judges, and attorneys across the state. The Judicial Council's Administrative Office of the Courts, in conjunction with the National Center for State Courts, is conducting a study to measure the effectiveness of the pilot programs and to identify the most useful practices and procedures. A formal report to the Legislature will be made in October 2002. We intend to implement the pilot program's most successful practices on a statewide basis.

Programs like this one today are yet another means of spreading the word and sharing the knowledge and the innovations being developed in California's courts. I am delighted that you could attend and that you are learning and contributing to the exciting and never-ending process of improving the administration of justice in our state.

Once again, I want to thank Judge Kuhl and all the judges participating in the pilot program in Los Angeles. Close cooperation with and by the bar has been critical to the success of the efforts thus far, and I am confident that, working together, the bench and bar in Los Angeles will continue to make very valuable contributions to improving the way in which complex litigation matters are handled in our state's courts. I wish you all every success in this exciting and important work.



